



Town of Groton, Connecticut

Meeting Agenda

Town Council

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk (860)441-6640
Town Manager (860)441-6630

Mayor Harry A. Watson, Councilors Peter J. Bartinik, Jr., Natalie Burfoot Billing, Heather Sherman Bond, Catherine Kolnaski, Frank O'Beirne, Jr., Paulann H. Sheets, Thomas J. Skrmetti, and Elissa T. Wright.

Tuesday, November 01, 2005

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

2005-0274 Proclamation Honoring the 25th Anniversary of the
Groton Senior Center

Proclamation - TC

IV. CITIZENS' PETITIONS, COMMENTS AND CONCERNS

This is the portion of the Council Agenda where the Council welcomes comments from citizens. Each presentation should be limited to ten minutes or less, and citizens should, if possible, submit written comments. Presentations should be related to matters pertinent to Groton. Town Councilors will only ask questions in order to clarify the speaker's presentation and can respond during the Responses to Citizens' Petitions portion of the Town Council meeting. Citizens should make their presentations from the lectern and state their names and addresses for the record.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

VI. CONSENT CALENDAR

All matters listed under Item VI (Consent Calendar) are considered to be routine and will be enacted by one motion. No separate discussion of these items will take place, unless cause is shown prior to the time Council votes on the motion to adopt.

a. Approval of Minutes

2005-0293 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council Meeting of October 18, 2005 are hereby accepted and approved.

b. Deletions from the Town Council Referral List

2004-0308 Alcohol Possession By Minors

Referral

2005-0075 Adoption of an Ordinance Regarding Alcohol Possession
by Minors

Ordinance

2005-0272 Naming of Copp Property Dog Park

Referral

VII. COMMUNICATION REPORTS (Other than Committee Reports)

a. Town Councilors

b. Representative Town Meeting

c. Clerk of the Council

d. Town Manager

e. Town Attorney

VIII. COMMITTEE REPORTS

a. Community & Cultural Development - Chairman Billing

b. Economic Development - Chairman Bond

c. Education/Health & Social Services - Chairman Kolnaski

d. Environment & Recreation - Chairman Sheets

e. Finance - Chairman Wright

f. Personnel/Appointments/Rules - Chairman O'Beirne

g. Public Safety - Chairman Skrmetti

h. Public Works - Chairman Bartinik

i. Committee of the Whole - Mayor Watson

IX. UNFINISHED BUSINESS

**2005-0075 Adoption of an Ordinance Regarding Alcohol Possession
by Minors**

Ordinance

ADOPTION OF AN ORDINANCE REGARDING ALCOHOL POSSESSION BY MINORS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

SECTION 1: FINDINGS

1. The possession and consumption of alcoholic liquor by minors is a matter of a growing local, regional, and national concern.
2. Consumption of alcoholic liquor by minors unsupervised by parental authority creates a health and safety risk not only to our children but also to the general public.
3. The Town of Groton seeks to protect, preserve and promote the health, safety, welfare, and quality of life of its residents by regulating the possession of alcohol by minors.

SECTION 2: PURPOSE

To regulate the possession of alcoholic beverages by minors on both public and private property.

SECTION 3: DEFINITIONS

ALCHOLIC LIQUOR-shall have the same meaning as the same term defined in Title 30, Section 30-1 of the Connecticut General Statutes, as amended from time to time.

HOST-To organize a gathering of two or more persons, or to allow the premises under one's control to be used with one's knowledge, for a gathering of two or more persons for personal, social, or business interaction at which the host knows or should know that alcohol is consumed by a minor or minors.

MINOR-Any natural person under the age of twenty-one (21) years old.

PERSON-Any natural person, firm, partnership, association, syndicate, company, trust, corporation, limited-liability company, municipality, agency, or political or administrative subdivision of the state or other legal entity of any kind.

SECTION 4: POSSESSION

No minor under the age of twenty-one (21) shall be in possession within the Town of Groton of a container, whether open or closed, which contains alcoholic liquor, except when accompanied by or in the presence of his or her parent, legal guardian, or spouse, who has attained the age of twenty-one (21) years. This restriction shall apply to both public and private property.

SECTION 5: HOSTING EVENTS

No person shall host an event or gathering at which the host knows or should know that alcohol is consumed by or dispensed to any minor unless said minor is accompanied by or in the presence of his or her parent, guardian, or spouse who has attained the age of twenty-one (21). This restriction shall apply to any event or gathering within the Town of Groton, whether conducted on public or private property.

SECTION 6: EXCEPTIONS

The provisions of Sections 4 and 5 of this ordinance shall not apply to the following:

1. A minor who possesses alcoholic liquor on the order of a practicing physician or any person who sells, ships, delivers or gives any alcoholic liquors to a minor on the order of a practicing physician.
2. A natural person over the age of eighteen (18) who is an employee or permit holder under Section 30-90a of the Connecticut General Statutes and who possesses alcoholic liquor in the course of such natural person's employment or business or in the course of a sale, shipment, or delivery of alcoholic liquor made to a person over age eighteen (18) who is an employee or permit holder under Section 30-90a of the Connecticut General Statutes and where such sale, shipment, or delivery is made in the course of such person's employment or business.
3. Provided that neither subsection of this Section 6 shall be applied or be construed to apply to violations of Section 4-2 and 4-3 of the Groton Code of Ordinances.

SECTION 7: PENALTIES

Any person violating any provision of this article shall be subject to a fine of \$95.00.

This ordinance shall become effective on the forty-fourth (44th) day after publication of notice of its passage pursuant to Charter Section 4.6.1.

(REFER TO THE RTM)

Legislative History

4/5/2005

Town Council

Postponed to a Certain
Time

Councilor Sheets is concerned that the fine imposed will be set at \$95. Any fine over \$90 changes the violation from an infraction to an offense. An individual can be arrested for an offense, but not an infraction. It could also be made public in the police logs in the local papers.

Councilor Wright is not comfortable with this being an "offense".

Councilor Skrmetti supports the Ordinance as is.

Town Manager Oefinger does not feel this needs to be reviewed by the Town Attorney. He noted that the Town Council as a whole usually directs him when to contact the Town Attorney for his opinion. In this instance, Councilor Sheets called and requested that it be submitted to the Town Attorney for review. The Town Manager would like anyone with any issues with this ordinance to notify him so that the Town Attorney can address them all before the vote on April 19.

Councilor Wright feels the goal of this ordinance should be deterrence and prevention. She would like the language to be as clear as possible.

5/3/2005 Town Council Discussed

Councilors spoke about Bill No. 6901 concerning underage drinking, and how its passage may affect towns. It was noted that a probable reason for the State to be considering this bill is that about 40 municipalities have already passed their own ordinances concerning this. Councilors mentioned that if the State does pass the bill, there may be no need for this Ordinance.

Councilors discussed "infraction" versus "offense."

Acting Police Chief Fogg was asked to comment; he feels that with the \$95 fine for an offense, there is more of a deterrent. The GASP Coalition specifically wanted \$95 for that reason.

Councilors referred to the Town Attorney's comments which some believed were not at all minor. A statement from the Ledge Light Health District in support of the Ordinance was read.

Councilors were reminded that if the Ordinance should pass, it would be referred to the RTM for its consideration.

5/3/2005 Town Council Re-referred Town Council Committee of the W

Councilor Skrmetti supports the Ordinance but wants to defer action. He would like to meet with the Ledge Light Health District, the Police Department, and other parties concerned with the Ordinance.

Councilor Bartinik suggested bringing in all points of view to the meeting on this matter.

Councilor Billing is opposed to referral back to committee.

Vote on Re-Referral to Committee was 6 In Favor, 3 Opposed (Councilors Billing, Kolnaski, and O'Beirne, Jr.)

10/11/2005 Town Council Committee of the Whole Recommended for a Resolution

10/18/2005 Town Council Postponed to a Certain Time Town Council

The Mayor asked the Town Council to defer acting on this item based on the Town Clerk's memorandum. Further discussion of this matter will occur under Other Business.

X. NEW BUSINESS

2005-0272 Naming of Copp Property Dog Park

Referral

RESOLUTION TO NAME THE TOWN OF GROTON DOG PARK

WHEREAS, On August 21, 2005, the Town of Groton Department of Parks and Recreation opened a dog park at the Copp Property, in conjunction with the SE CT Dog Park Association and the Copp Park Board of Overseers, for residents who wish to socialize and exercise their dogs with other dogs, and

WHEREAS, the Parks and Recreation Commission sought public proposals for naming the dog park, and

WHEREAS, 35 names were submitted and reviewed by the Commission, and

WHEREAS, the Commission recommended that the park be dedicated to Glenna Doyle, the tireless supporter of the dog park project, in memory of her beloved dog Mitsu, and also recommended that the park be named either Central Bark or Groton Bark Park, now therefore be it

RESOLVED, that the Town of Groton dog park on the Copp Property shall be named Central Bark, and be it

FURTHER RESOLVED, that the park shall be dedicated to Glenna Doyle and to the memory of her dog Mitsu, with appropriate signage to be placed at the site.

Legislative History

10/4/2005 Mayor Referred Town Council Committee of the W

10/11/2005 Town Council Committee of the Whole Recommended for a Resolution

Town Manager Oefinger met with Director of Parks and Recreation John Silsby and discovered that no one had reached out to the Copp Board on this issue. Dave Winkler is now querying the Board about their desire to be involved in this decision. Councilor Bartinik suggested the park should have a serious name, and he suggested other organizations that do things with dogs, such as the Lions Club, could be involved in the naming. Councilor Kolnaski noted that the community was involved in suggesting names. Councilor Bond stated there is a Bark Park in Norwich. She asked how much will be spent on the sign. Councilor Billing asked if Glenna Doyle has been asked about the name for the park.

10/11/2005 Town Council Committee of the Whole Motion

to recommend a resolution dedicating the dog park to Glenna Doyle and to name it Central Bark, pending input from the Copp Board

2005-0283 2006 Rates for Shennecossett Golf Course Referral

2005-0282 Grant for Holiday DUI Enforcement Referral

XI. OTHER BUSINESS

XII. ADJOURNMENT